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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/693,954	10/28/2003	Yoshikazu Fujita	723-1446	3806

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EXAMINER

RAHMJOO, MANUCHER

ART UNIT PAPER NUMBER

2676

DATE MAILED: 05/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/693,954	<b>Applicant(s)</b> FUJITA, YOSHIKAZU	
	<b>Examiner</b> Mike Rahmjoo	<b>Art Unit</b> 2676	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 12 April 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1- 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki (US Patent 5,974,175) in view of Bokhour (US Patent 6,847,333).

As per claims 1, 6, 11- 12 and 16 and as to the broadest reasonable interpretation by examiner Suzuki teaches neighboring area detecting mechanism for detecting a neighboring area of the ink line area, which surrounds the ink line area see for example figures 4-5 for the contours along with the neighboring areas that are detected and figure 3 wherein the contour and the object boundary having the contour is detected; outline area detecting mechanism for detecting an outline portion of an image as an outline area, with respect to an area other than the ink line area and the neighboring area in the original image see for example figures 4- 9; line drawing data storing mechanism for storing the line drawing data see for example figures 1- 2 for block 10; and color data writing mechanism for writing color data to a storage area of the line drawing data storing mechanism, which corresponds to the ink line area and the outline area, and writing different color data to another storage area of the line drawing

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data storing mechanism, which corresponds to an area other than the ink line area and the outline area see for example column 5 lines 1- 15 for the image processing device 30 which performs necessary processing steps, such as color-changing (writing different color data) in different areas with different outlines (figures 5 and 8) that is performed after object extraction and column 6 lines 10- 17 for the filling (writing) the inside and outside of the contour with prescribed image data which is then sent to display memory.

However, Suzuki does not teach ink line area detecting means for detecting an area whose brightness is smaller than a predetermined value in an original image, as an ink line area and a brightness which differs from an area adjacent to the outline area and assigning data corresponding to a first color to both the ink line area and the outline area and assigning data corresponding to a second color, different than the first color, to at least the neighboring areas.

As to the broadest reasonable interpretation by examiner Bokhour teaches ink line area detecting means for detecting an area whose brightness is smaller than a predetermined value in an original image, as an ink line area and a brightness which differs from an area adjacent to the outline area see for example figures 1- 2 and column 5 lines 40- 55 wherein region map 68a includes locating portions of the image where the intensity level of adjacent pixels changes (different brightness); and assigning data corresponding to a first color to both the ink line area and the outline area and assigning data corresponding to a second color, different than the first color, to at least the neighboring areas see for example figure 4 for assignment of colors (256

colors) with different regions (128 regions or more) and column 6 lines 15- 39 wherein the region map 68a and the colored region image are input to region color linking device 28 which compares the colored region image 70a with the region map 68 and links (assigning data) each region (ink line area, the outline area and the neighboring area) in the region map 68a with the associated color in the colored region image 70a which enables the use of up to 256 colors.

It would have been made obvious to one of ordinary skilled in the art at the time the invention was made to incorporate the teachings of Bokhour into Suzuki to have a plurality of discrete regions of the region map encompass a portion of the gray scale image having a particular intensity value (luminance) or visual texture (visually observable intensity pattern variations) and therefore compile a region list associating each of the plurality of regions with a value thereby enhancing the device see for example column 1 lines 65- 67 through column 2 lines 1- 15.

As per claims 2 and 7 Suzuki teaches the original image contains a plurality of pixels (picture **elements or pixels**) see for example column 8 line 8, and when the ink line area is included in a predetermined area surrounding a pixel to be processed in the original image, and the pixel to be processed is not included in the ink line area (picture elements to be processed that are inside of the frame edge and not the others) , the neighboring area detecting mechanism detects the pixel to be processed as the neighboring area see for example figure 20 and column 16 lines 26- 32 .

As per claims 3 and 8 Suzuki teaches the ink line area detecting mechanism detects, as the ink line area, a portion of an area where brightness is smaller than a predetermined value, such that the portion lies near the outline of the area see for example figure 3 for the boundary and contour detection and also figures 4- 9 wherein the contours have less brightness.

As per claims 4 and 9 Suzuki teaches the original image contains a plurality of pixels (picture **elements or pixels**) see for example column 8 line 8, and when an area other than the ink line area is included in a predetermined area surrounding a pixel to be processed included in an area whose brightness is smaller than a predetermined value, the ink line area detecting mechanism detects the pixel to be processed as the ink line area see for example figures 19- 20 and column 16 lines 26- 32 wherein picture elements or the pixels of a contour to be processed that are inside of the frame edge, the area as labeled X2 in figure 20 which includes a detection range B31 as well.

As per claims 5, 10, 14 and 18 Suzuki teaches still image data extracting mechanism for extracting arbitrary still image data from moving image data, wherein the line drawing data is generated using the still image data, which is extracted by the still image data extracting mechanism, as the original image data see for example column 5 lines 38- 52 for image data including a sequence of image frames (stationary images) contained in a motion picture which are later extracted.

As per claims 13 and 17 Bokhour teaches reassigning data (comparing the colored region image with the region map and linking each region in the region map with associated color) of an interior portion of the ink line area so that the data of the

interior portion of the ink line area corresponds to the second color rather than the first color see for example column 6 lines 15- 25.

As per claims 15 and 19 Bokhour teaches in addition to the neighboring area pixels, all other pixels of the original image data outside of the ink area and the outline area are assigned data corresponding to the second color see for example figures 1- 4 and column 6 lines 15- 40 for the association of colors and regions.

### ***Response to Arguments***

Applicant's arguments with respect to claim 1- 11 have been considered but are moot in view of the new ground(s) of rejection.

As per applicant's remarks on page 19, applicant argues "applicant respectfully submits that each element of the claimed invention is not found in Suzuki".

Examiner respectfully disagrees.

Applicant's arguments fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references.

While applicant argues some elements of the claimed invention by providing examples, examiner fails to see "each element" of the claimed invention as being addressed.

As per applicant's remarks on page 19, applicant argues " Suzuki fails to disclose detecting an outline portion of an image as an outline area, with respect to an area other than the ink line area and the neighboring in the original image".

Examiner respectfully disagrees.

Examiner points out to for example figures 4- 9 wherein outlines other than ink line area and the neighboring area are shown.

Examiner also points out that Bokhour also teaches for example figures 1- 3 wherein outlines other than ink line area and the neighboring area are shown.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.



### **Inquiry**

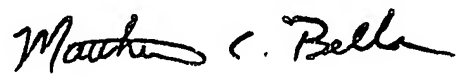
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mike Rahmjoo whose telephone number is (571) 272-7789. The examiner can normally be reached on 6:30- 3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Bella can be reached on (571) 272- 7778. The fax phone number for the organization where this application or proceeding is assigned is (703) 872- 9306 for regular communications and After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-4357.

Mike Rahmjoo

April 28, 2005

  
MATTHEW C. BELLA  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600